

American Massage Therapy Association
Wisconsin Chapter

Voice Mail 414-299-9201

"Promoting Wellness Through Massage"

Assembly Committee on Health and Healthcare Reform, 12/2/2009
Chaired by Representative Richards

Testimony in Support of AB 588 the Massage Licensing Bill

My name is Betsy Krizenesky. I have been a Certified Massage Therapist for 26 years and live and work in Neenah. I speak for the 1800+ members of the American Massage Therapy Association, Wisconsin Chapter, and thank you for the chance to address you.

The Purpose of Assembly Bill 588 is to provide Wisconsin consumers of massage therapy and bodywork therapy the uniform standards of care that they need and deserve.

AB 588 updates the 8-year-old *title regulation law* (or certification) of Massage Therapists and Bodyworkers, to a *practice regulation law*, also known as state licensing. Updating Chapter 460 will ensure that **everyone** providing massage therapy to the public meets state mandated requirements for training and adherence to professional standards. Currently only some practitioners do this. Now only those professionals using the regulated titles, Massage Therapist or Bodyworker, are state regulated. This means that there are many people in Wisconsin providing massage therapy services who are not state regulated because they do not meet state standards for education, testing and ethics. To operate legally they simply avoid using the regulated titles. In the meantime, consumers are confused by the many titles and in some cases their health is put in jeopardy.

Nationwide, massage therapy is steadily becoming more related to helping people with healthcare conditions such as pain management, injury rehabilitation, migraine control and/or overall wellness. A 2009 survey, which is attached, shows nearly a third of all Americans had at least one massage in the previous 12-month period. Four times as many had it for health and stress-related reasons than for simple pampering.

In other words, massage therapy is mainstream and is no longer simply a luxury service. Wisconsin consumers need to be assured that when they entrust their body to a provider of massage therapy services that that person has adequate training. The Massage Therapist needs to understand whether their therapy can do good or cause harm and how to treat appropriately. It is also imperative that therapists know when they should refer out to another healthcare practitioner.

As of August 2009, 43 states and the District of Columbia regulate the massage therapy profession, with 39 states regulating **all** providers of the service. Only five states (Wisconsin, California, Indiana, Virginia and New Jersey) operate under the archaic title regulation approach, which has far less consumer protection oversight.

State licensing will provide an enforceable mechanism for disciplining practitioners who do not meet minimum standards for competency or who violate professional standards. Under current Wisconsin law, no records are kept of unregulated, "bad actors". A comprehensive licensing law will prevent wrongdoers from simply opening up shop in another part of the state where his/her misdeeds are not known.

A Statewide 2007 Survey of 3,810 Members of the Profession Supported Licensing

This was conducted by the American Massage Therapy Association – WI Chapter, in conjunction with the Associated Bodywork and Massage Professionals and the American Organization for Bodywork Therapies of Asia. Sixty-four percent of respondents were in favor of updating to a licensing law.

The AMTA-WI Chapter formed the Wisconsin Massage Licensing Coalition and from September 2007-April 2008 a series of more than 30 town hall meetings was conducted in communities across the state: Eau Claire, La Crosse, Spooner, Waupaca, Wausau, Green Bay, DePere, Appleton, Madison and Milwaukee. A core group met in May 2008 to finalize the contents of the bill draft, which was based on the survey results, town hall meeting responses, and the best regulatory language from all other states. Top priority has been given to fair grandfathering options for experienced practitioners (Section 62) and respectful exemption language for related but distinct therapies (Sections 17-19).

Organizations Which Have Been Consulted and Are Receptive to the Bill

American Massage Therapy Association-WI Chapter

American Organization for Bodywork Therapies of Asia

Other Members of the Federation of Therapeutic Massage, Bodywork and Somatic Practice Organizations: American Polarity Therapy Association, American Society for the Alexander Technique, Feldenkrais Guild, International Organization of Structural Integrators, International Somatic Movement Education and Therapy Association, The Rolf Institute, United States Trager Association

Associated Bodywork and Massage Professionals

Reflexology Association of America

Reflexology Organization of Wisconsin

Wisconsin Physical Therapy Association

Wisconsin Medical Association

Wisconsin Chiropractic Association

Wisconsin Society of Certified Acupuncturists

All Educational Approval Board Approved Schools

Please feel free to contact me with any questions or constituent concerns and thank you for considering supporting AB 588!

Betsy Krizenesky, WCMT #53-046

American Massage Therapy Association, WI-Chapter, Professional Member

Law & Legislation Chair, Immediate Past President

Wisconsin Massage Licensing Coalition Chair

Associated Bodywork and Massage Professionals Member

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American Massage Therapy Association®

2009 Massage Therapy Consumer Survey Fact Sheet

Massage is Used More Than Ever for Medical/Health Reasons

Thirty-two percent of Americans get massages for medical and health reasons, according to the 13th annual consumer survey sponsored by the American Massage Therapy Association® (AMTA®), compared to 31 percent last year.

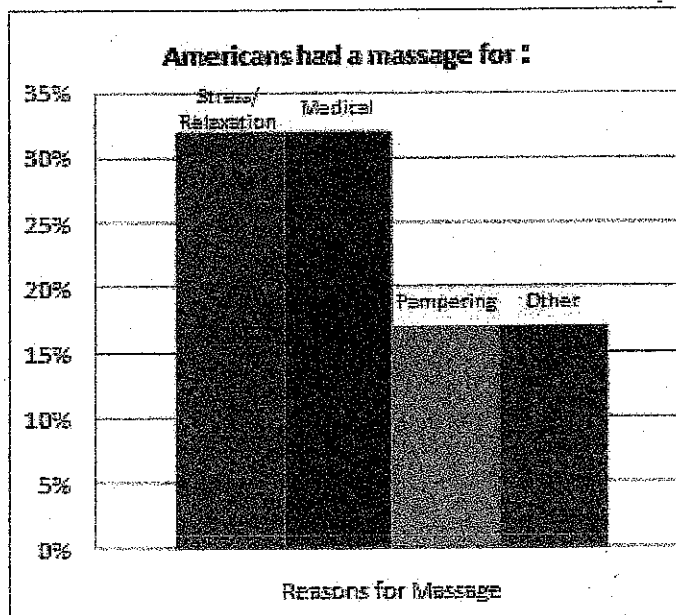
- Twenty-five percent of Americans ages 35-44 have talked to their doctor or healthcare provider about massage therapy this year, compared to 14 percent in 2008.
- Seeking a massage for medical or health reasons is now tied with relaxation and stress reduction as the top reasons why Americans get massages.
- Of those who discussed massage therapy with their doctors, 52 percent say their doctor strongly recommended/encouraged them to get a massage.
- Eighty-six percent of Americans agree that massage can be effective in reducing pain.
- Eighty-five percent of people agree that massage can be beneficial to your health and wellness.

Massage therapy for stress reduction

- This year, 32 percent of Americans said they got a massage for stress and/or relaxation in the last five years; compared to 36 percent last year.
- Fifty-seven percent of Americans say they are more stressed this year than they were a year ago.

Massage therapy and income

- Forty-seven percent of those making \$35,000 to \$50,000 a year say they have considered massage to manage stress.
- Thirty-four percent of those making less than \$35,000 a year got massage for medical/health reasons. This group is the second largest income bracket of those who had a massage for medical/health reasons.
- Forty-nine percent of those making \$75,000 to \$100,000 choose massage for medical or health reasons.



Older Americans are most likely to seek massage for its medical and health benefits rather than for relaxation or stress reduction

Older Americans are most likely to seek massage for its medical and health benefits rather than for relaxation or stress reduction

- Among those who have had a massage in the last five years, 41 percent of those over 65 years of age and 41 percent of those between the ages of 55 and 64 received their last massage for medical or health reasons.
- In contrast, only 13 percent of those over 65 and 28 percent of those ages 55 to 64 had massage for relaxation/stress reduction.

Massage considerations and recommendations

- Fifty-seven percent of 35-44 year olds who had a massage in the previous 12 months have considered massage to manage stress.
- Sixty-two percent of Americans have or would recommend massage therapy to a relative or someone else they know.

How to Find a Professional Massage Therapist

Finding a professional massage therapist is vital to a positive massage experience.

AMTA massage therapists have demonstrated a level of ability through education and/or testing, adhere to a code of ethics and must meet continuing education requirements. AMTA offers a free professional massage therapist locator service on the Web at <http://www.findamassagetherapist.org/> or toll-free 1-888-THE-AMTA.

About the Survey Findings

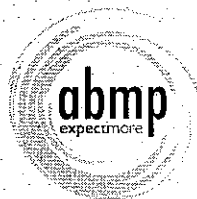
The annual consumer survey was conducted by CARAVAN® Opinion Research Corporation International during July 2009, among a national probability sample of 1001 adults (501 men and 500 women) ages 18 and older, living in private households in the continental United States. The survey has a confidence level of plus or minus three percent. Commissioned by AMTA, this is the thirteenth annual massage therapy survey of American consumers.

About AMTA

The American Massage Therapy Association (AMTA) is a professional association of 58,000 members. AMTA provides information about massage therapy to the public and works to improve the professional climate for massage therapists. The association also helps consumers and healthcare professionals locate professional massage therapists nationwide, through AMTA's Find a Massage Therapist® free national locator service available at <http://www.findamassagetherapist.org/> or toll-free at 888-843-2682 [888-THE-AMTA].

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Associated Bodywork & Massage Professionals

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Testimony of
Jean Robinson, Government Relations Director
Associated Bodywork & Massage Professionals

Wisconsin Assembly
Committee on Health and Healthcare Reform
December 2, 2009

Associated Bodywork & Massage Professionals (ABMP) is a professional membership association founded in 1987 to provide massage and bodywork practitioners with professional services and regulatory advocacy. ABMP is devoted to promoting ethical practices, protecting the rights of practitioners, and educating the public regarding the benefits of massage and bodywork. Members must meet strict educational requirements and adhere to a published code of ethics. Its current membership totals more than 70,000, with more than 1,800 members in Wisconsin.

ABMP worked closely with the Wisconsin Chapter of the American Massage Therapy Association (AMTA) to ensure an adequate balance of public protection and fairness to massage and bodywork practitioners in the proposed bill; together we ask for a favorable vote. It has been a goal of both associations to seek consistency in state regulations and promote portability in the profession. We believe AB 588 addresses many of the inconsistencies for practitioners living and working in Wisconsin.

Massage therapy has grown to be the third most requested complementary and alternative health practice according to the National Center for Complementary and Alternative Medicine (NCCAM). In 1998, there were an estimated 137,390 massage therapists, serving a \$4.2 billion industry. In 2005, there were an estimated 241,000 massage therapists serving an \$8.5 billion industry. In 2009, there are approximately 280,000 massage therapists serving a \$10 billion industry. There are approximately 55,000 individuals entering the profession every year in the U.S. The sheer numbers of practitioners provide some justification for mandatory state regulation.

According to a national consumer survey commissioned by ABMP in March 2009, there are three primary reasons people seek massage, each representing about a third of all massages delivered. Most seek relaxation and restoration (34 percent), need relief from pain or muscle soreness (31 percent), or have a massage because they received it as a gift (27 percent). Recommendations by medical professionals and the receipt of gift certificates are primary factors in consumers choosing to get a massage. In regulated states, it is beneficial to consumers to know that any practitioner they may visit has met minimum entry-level requirements regardless of the reason they are seeking massage. Wisconsin certifies fewer than 3,000 massage and bodywork therapists under the current law. We estimate there to be at least 6,000 massage and bodyworkers in the state. It would benefit the public to have qualified practitioners clearly identified as meeting entry-level standards.

Licensure is usually implemented in a profession to ensure a minimum standard of training in a field in order to protect consumers. The widely-accepted minimum education standard in the massage profession (as recognized by ABMP, AMTA, and the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) is 500 hours of training. Massage therapy is regulated at the state level in forty-three states and

District of Columbia; thirty require a minimum entry-level education standard of 500 hours. Because, over the past eight years, Wisconsin has set the regulation bar at 600 hours, we do not believe that other practitioners in the state will be adversely affected in the state maintains this requirement, even though it is 100 hours more than the standard in the majority of other states.

The Massage and Bodywork Licensing Exam (MBLEx), offered by the Federation of State Massage Therapy Boards (FSMTB), is supported and endorsed as the exclusive exam of choice for licensing purposes by the two largest massage therapy associations, ABMP and the AMTA. Passage of the MBLEx is accepted as a qualification for licensure by twenty-two of the forty-three regulated states to date. More states are in the process of considering adopting the MBLEx, some of which are awaiting legislative action to change statutory language; others are currently in the rules process. The proposed bill would allow a future board to decide on acceptable exam(s).

The massage therapy community proposes a state licensure program for massage therapists in order to define a scope of practice, establish clear titles that the public will understand, provide for the issuance of a certificate and license number for licensees that members of the public can use to verify a therapist's legitimacy, and allow for a process in which practitioners would be held accountable for harmful or inappropriate treatment of a client. Regulation would provide clear avenues for public complaint and allow the state to better control inappropriate practice.

Thank you for your consideration of ABMP's views.



State of Wisconsin / Educational Approval Board

Jim Doyle
Governor

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David C. Dies
Executive Secretary

December 1, 2009

Representative Jon Richards, Chair
Committee on Health & Healthcare Reform
118 North
State Capitol
Madison, WI 53703

Dear Representative Richards:

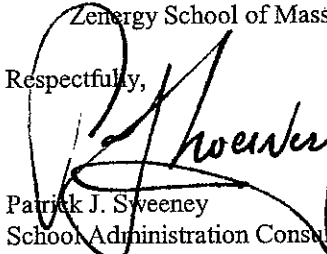
Currently, the Educational Approval Board (EAB) oversees 16 private schools offering massage therapy education and training to more than 900 Wisconsin residents last year. Given its oversight of massage therapy schools since 1996, the EAB has seen the effects of the current law for the voluntary certification of massage therapists/bodyworkers, a title protection statute. Unfortunately, the current law does not protect the general public well, serves the profession badly, and creates ethical and legal problems for students and graduates of the EAB-approved massage therapy schools.

As the Wisconsin Massage Licensing Coalition was seeking input about proposed legislation, the EAB convened two meetings of EAB-Approved massage therapy schools to comment on draft legislation and find solutions to current problems. Recommendations from the EAB-approved massage therapy schools and the EAB have been included in Assembly Bill 588 (AB-588). The EAB-approved massage therapy schools and the EAB support AB-588 because it better protects the general public, improves the standards for the massage therapy profession, and offers massage therapy students a defined career path with clear legal and ethical standards. Following is the list of private massage therapy/bodywork schools overseen by the Educational Approval Board:

Blue Sky School of Professional Massage and Therapeutic Bodywork
East-West Healing Arts Institute, Inc.
Fox Valley School of Massage
Globe University
Health Touch Spa School of Massage
High-Tech Institute
Institute of Beauty and Wellness (The)
Lakeside School of Massage Therapy
Milwaukee School of Massage
Rasmussen College
Saint Croix Center for the Healing Arts
Salon Professional Academy (The)
Therapeutic Bodyworks Institute
TIBIA Massage School
Wisconsin School of Massage Therapy, Inc.
Zenenergy School of Massage and Bodywork

Grafton, Green Bay, Madison
Madison
Appleton
Eau Claire, La Crosse, Middleton
Rothschild
Brookfield
Milwaukee
Milwaukee
Milwaukee
Green Bay
Hudson
Eau Claire
Pewaukee
Madison
Germantown
Oshkosh

Respectfully,


Patrick J. Sweeney
School Administration Consultant



Thai Healing Alliance International

2 December, 2009

Representative Jon Richards (Chair)
Rep.Richards@legis.wisconsin.gov
Room 118 North, State Capitol, P.O. Box 8953,
Madison, WI 53708

Dear Representative Richards,

I am writing with regard to Assembly Bill 588, Wisconsin's proposed revision of the legal guidelines for massage therapy and bodywork. Specifically, I request that you include nuad boran / traditional Thai massage as one of the exemptions to this new revised law. I am aware that other practitioners in your state have written you to make the same request, and I hope my words here will be helpful in making your determination. Nuad boran is also known as "traditional Thai massage" "Thai yoga massage", and "Thai yoga bodywork."

Thai Healing Alliance International (THAI) is the world's international organization for proposing standards of practice and study of traditional Thai massage. THAI is a non-profit organization which operates entirely and exclusively within the sphere of traditional Thai medicine, unlike other organizations such as AMTA, AOBTA who include Thai massage as one of the many modalities they recognize. THAI members live and practice in over 25 countries, and THAI is endorsed by major organizations and press around the world as being the point of reference for the professional practice of Thai massage. THAI has inseparable ties to the major schools and teachers in Thailand, and THAI practitioners and instructors must meet very stringent standards, and ascribe to a professional code of ethics. THAI sets stringent standards; to be recognized as Registered Thai Therapist (RTT), a member must complete a minimum of 180 hours of Thai massage training, carry out 150-200 hours of documented practice sessions, provide health history documentation for their clients, and meet other requirements. Instructors in THAI must have a minimum of 500 hours of Thai massage training, none of which can be based on western massage training.

I realize that professional practitioners of traditional Thai massage, especially those who are members of THAI, will be presumed to be exempt under the new proposed legislation (per the guidelines in Sections 17 through 19). However I sincerely request that along with Rolfing, Feldenkrais, Trager, polarity therapy, reiki and the others, "nuad boran / traditional Thai massage" be specifically exempted by name in your new bill. Doing so now will show that Wisconsin is progressive and forward-thinking in scope and will avoid or minimize any problems that might be presented in the future with regard to legal practice of nuad boran in your State.

Traditional Thai massage (nuad boran) is a long-established healing art, much older in practice than any western modality. It is not related to any other type of therapy. In fact, western bodywork modalities have fused aspects and techniques of nuad boran into their own practices. The fact that Thai medicine is unique and separate from any other system makes it worthy of its own distinction.



Thai Healing Alliance International

www.thaihealingalliance.com

Executive Council Members: Bob Haddad, Cristina Munoz Gandara, Paul Fowler

Committee Members: Danko Lara Radic

Advisory Council: Dr. Rick Gold, Coocky Tassanee/ Loi Kroh, Max Scheurermeier/ Sunshine Massage School, Alan Phillips, Esq.

Sponsors: *Emerald Level:* Bob Haddad - *Lotus Level:* Robert Gerry, III, Richard Gold - *Saffron Level:* Kim Cramer, Cristina Muñoz Gandara, Peter de Munter, Amber McCormack, Kristin Nuttall, Jill Roberts *Bronze Level:* Tanya Boigenzahn, Naomi Brisman, Hillary Hilliard



Thai Healing Alliance International

Thai yoga massage has often been misrepresented in the west, and especially among the (western) massage community, it is believed to be something that it is not. It is not massage, but there is contact with the human body. There is no kneading, nor oil, nor need for a massage table. There are no stroking movements, no direct manipulation of tissue, no topical rubbing of muscles and ligaments. Clients are fully clothed. Thai medical theory is, much like the concept of Chinese acupuncture, based on locating and dissipating energy blockages that are found along the major energy pathways in the body through pressure, rocking movements and assisted yoga stretches, however those pathways take a much different form than those used in Chinese medicine, and the pharmacopoeia of herbs used to treat disorders is wholly distinct. Traditional Thai massage is an ancient healing art, with thousands of years of history and development. It is not like reiki, polarity therapy or even shiatsu, which were developed in modern times. Because of the unique combination of reflexology, acupressure, and yoga, traditional Thai massage should be exempted by name from western massage regulations. Surely no regulatory agency or proposed bill would attempt to regulate yoga or yoga training, and reflexology and acupressure appear to be exempted under the current proposed legislation. These three elements form the manipulatory basis of Thai massage.

But the most important element of Thai massage is that it is based on energy healing. Traditional Thai medicine theory is based on addressing the energy system of humans, not the physical body. Nuad boran is, at its very essence, an energy healing modality. It is considered as such in Thailand and all around the world.

Your Section 19 says that anyone who *"uses touch, words, and directed movement to deepen a client's awareness of...patterns of movement, and to suggest ... new patterns of movement"* is exempt. Likewise, anyone who *uses touch to affect the energy systems of the human body* is exempt. And subsection b) states that the person must be recognized by, or meet the standards associated with a professional or credentialing organization, such as Thai Healing Alliance International.

I regret not being able to personally address the group at the hearing today, but I hope you will see fit to include by name "nuad boran" and/or "Traditional Thai Massage" or Thai Yoga Massage" into your current list of exemptions, alongside the aforementioned modalities. In my opinion, doing so now, rather than facing an amendment or a potential problem at a later date, will make your new legislation more clear and concise, and will be in the overall best interests of the State of Wisconsin.

For more information on traditional Thai massage and Thai Healing Alliance, please see www.thaihealingalliance.com

And of course, do not hesitate to contact me directly if I can be of further assistance. Thank you for your attention to this matter.

Sincerely,

Bob Haddad, RTT, Director

Thai Healing Alliance International



www.thaihealingalliance.com

Executive Council Members: Bob Haddad, Cristina Munoz Gandara, Paul Fowler

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